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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/614,023	07/08/2003	Yusuke Fukumoto	43888-260	9495	
7590 03/17/2006			EXAMINER		
MCDERMOTT, WILL & EMERY			WEINER, LAURA S		
600 13th Street, N.W. WASHINGTON, DC 20005-3096			ART UNIT	PAPER NUMBER	
	,	,	1745		
			DATE MAILED: 03/17/200	DATE MAILED: 03/17/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.	Applicant(s)		
10/614,023	FUKUMOTO ET AL.		
Examiner	Art Unit		
Laura S. Weiner	1745		

Advisory Action	10/614,023 FUKUMOTO ET AL.		•			
Before the Filing of an Appeal Brief	Examiner	Art Unit				
	Laura S. Weiner	1745				
The MAILING DATE of this communication appe	ars on the cover sheet with the d	correspondence add	ress			
THE REPLY FILED 09 March 2006 FAILS TO PLACE THIS AF	HE REPLY FILED 09 March 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.					
The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:						
a) The period for reply expires 3 months from the mailing date of the final rejection. The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.						
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).						
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any example patent term adjustment. See 37 CFR 1.704(b).						
2. The Notice of Appeal was filed on A brief in composition of filing the Notice of Appeal (37 CFR 41.37(a)), or any explanation of Since a Notice of Appeal has been filed, any reply must be AMENDMENTS	xtension thereof (37 CFR 41.37(e)), to avoid dismissal o	of the appeal.			
3. The proposed amendment(s) filed after a final rejection,	but prior to the date of filing a brie	f will not be entered l	herause			
 (a) They raise new issues that would require further co (b) They raise the issue of new matter (see NOTE belo (c) They are not deemed to place the application in bet appeal; and/or 	nsideration and/or search (see NO w); ter form for appeal by materially re	TE below); educing or simplifying				
(d) They present additional claims without canceling a NOTE: (See 37 CFR 1.116 and 41.33(a)).						
4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. Applicant's reply has overcome the following rejection(s):						
 Newly proposed or amended claim(s) would be a the non-allowable claim(s). 	llowable if submitted in a separate	, timely filed amendm	ent canceling			
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows: Claim(s) allowed:		ill be entered and an	explanation of			
Claim(s) objected to: Claim(s) rejected: Claim(s) withdrawn from consideration:						
AFFIDAVIT OR OTHER EVIDENCE						
3. The affidavit or other evidence filed after a final action, be because applicant failed to provide a showing of good an and was not earlier presented. See 37 CFR 1.116(e).	ut before or on the date of filing a t d sufficient reasons why the affida	Notice of Appeal will <u>r</u> vit or other evidence i	ot be entered s necessary			
The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).						
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER						
11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>						
12. Note the attached Information Disclosure Statement(s). 13. Other:	(PTO/SB/08 or PTO-1449) Paper	Lesul				
		Laura S Weiner Primary Examiner Art Unit: 1745				

U.S. Patent and Trademark Office PTOL-303 (Rev. 7-05)

Continuation of 11. does NOT place the application in condition for allowance because: of the reasons given in paragraphs 1 and 2 of the final office action. In addition, Applicant argues unexpected results but it is unclear what was the other 25wt% of R8 and R9.. Therefore no unexpected results have been demonstrated.